

5-2-91

ORIGINAL FILED

APR 29 1991

COUNTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

CASE NUMBER

Church of Scientology of  
California, a California  
corporation,

PLAINTIFF(S)

C420153

VS

Gerald Armstrong; DOE 1 through DOE 10,  
inclusive,

DEFENDANT(S)

NOTICE TO ATTORNEY IN RE  
NOTICE OF APPEAL

To: Gerald Armstrong  
P. O. Box 751  
San Anselmo, California 94960

Toby L. Plevin  
10700 Santa Monica Blvd.  
Suite 4300  
Westwood, California 90025

In compliance with RULES ON APPEAL adopted by the Judicial Council, this is to inform you that notice of appeal in the above matter was filed: 04-26-91

JAMES H. DEMPSEY

~~FRANK S. ZOLIN~~

County Clerk/Executive Officer of the Superior Court  
of California, County of Los Angeles

Date: 04-29-91

By C. C. Porter Deputy

C. C. Porter

CERTIFICATE OF MAILING

STATE OF CALIFORNIA, County of Los Angeles

JAMES H. DEMPSEY

I, ~~FRANK S. ZOLIN~~, County Clerk/Executive Officer of the Superior Court of the State of California for the County of Los Angeles, do hereby certify:

That true copies of Notice to Attorney in re Notice of Appeal, the original of which appears above, was on this date mailed to the persons whose names appear hereinabove, addressed as therein shown, by depositing same in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at Los Angeles, California.

JAMES H. DEMPSEY

~~FRANK S. ZOLIN~~

County Clerk/Executive Officer of the Superior Court  
of California, County of Los Angeles

Date: 04-29-91

By C. C. Porter Deputy

C. C. Porter

LOS ANGELES SUPERIOR COURT

POLICY GOVERNING DESIGNATION OF RECORD IN CIVIL APPEALS

Effective April 1, 1974, as revised October 1, 1987, and thereafter, all designations of record for the clerk's transcript and the reporter's transcript shall be specific in accordance with rules 4 and 5 of the California Rules of Court, and counsel will be governed by the following policy:

CLERK'S TRANSCRIPT

1. The designation of the clerk's transcript shall be specific as to the title of the document and date of filing. Documents requested as part of a judgment roll should also include specific title and filing date of each document.
2. Any designation of an exhibit will be specified by a brief description, exhibit number, and whether admitted in evidence or marked for identification only.
3. Pursuant to Rule 5(a) California Rules of Court, the clerk will only include papers or records on file or lodged with the clerk, absent an order of court.
4. Designations must be served on opposing counsel or parties and should contain a proof of service at time of filing (Rule 5(a) California Rules of Court).

Failure to timely designate and or pay subsequently required costs will result in the clerk sending a default notice to the Court of Appeal under Rule 10(c) California Rules of Court which can result in dismissal of the appeal unless appellant shows good cause in the reviewing court.

5. It should be noted that depositions are not automatically transmitted to the Court of Appeal. Rule 5(e) states:

"In no event shall the clerk copy in his transcript or transmit to the reviewing court (except by order of that court or stipulation of the parties) the original of any deposition."

Absent submission of an order or stipulation by counsel, a deposition will not be included in the clerk's transcript.

6. Counsel are also referred to Rules 5.1, 6 and 7, California Rules of Court which may assist them in expediting their appeal and/or minimizing costs on appeal to their clients.

These rules allow for preparation of an appeal record in lieu of the clerk's transcript and costs in connection therewith.

REPORTER'S TRANSCRIPT

1. The designation of the reporter's transcript shall be specific as to all dates of oral proceedings to be included in the appeal transcript, and include the department number.
2. All motions prior to trial and after trial to be included in the reporter's transcript, and not part of the normal record on appeal as described in the California Rules of Court, shall be specified as to the title of the hearing, date of hearing, and include the department.
3. Counsel should also note Rule 5(f) California Rules of Court which provides in part: "Where the appellant has designated only a clerk's transcript consisting of part or all of the matters specified in subdivisions (a) and (b) and has not given notice to prepare a reporter's transcript, the respondent may not require the preparation of a reporter's transcript...".
4. Designations must be served on opposing counsel or parties and should contain a proof of service at time of filing (Rule 4(a) California Rules of Court).

Failure to timely pay subsequently required costs will result in the clerk sending a default notice to the Court of Appeal under Rule 10(c) California Rules of Court which can result in dismissal of the appeal unless appellant shows good cause in the reviewing court.

THE FOREGOING POLICIES APPLY TO THE CENTRAL DISTRICT AND ALL OF THE BRANCHES OF THE LOS ANGELES SUPERIOR COURT.



Richard P. Byrne  
Presiding Judge,  
Los Angeles Superior Court